

From: Jason Holt
To: Microsoft ATR
Date: 1/24/02 12:12am
Subject: Microsoft Settlement

As a US citizen and software developer of many years, I wish to express my disappointment with the proposed final judgement in "United States vs. Microsoft".

I have been hindered on many occasions by Microsoft's anticompetitive practices, and the proposed settlement does little to curb further abuse nor make reparation to their damage to the computer industry.

For example, their tight integration of the Internet Explorer (IE) browser with the operating system has made it quite difficult for me to effectively create web pages without purchasing Windows. Their illegal actions allowed them to quickly dominate the market with a product widely considered (at the time) inferior to Netscape Navigator, it's main competition. Navigator was available for Linux and Irix as well as Microsoft and Apple OSes, allowing me to test web pages in my preferred environment. But now with IE's market share I have to have access to a Windows or Macintosh computer in order to verify that web pages will look acceptable to clients who also have been forced into use of the Windows environment. The proposed settlement leaves me in this predicament, forced to contribute unwillingly to Microsoft's market share.

Secondly, although the settlement (dubiously) requires Microsoft to publish its APIs, it still leaves me in many cases unable to write competing software. I choose to release all software I write using the Free Software Foundation's General Public License (GPL), which allows anyone to freely examine, modify and redistribute my code. But the settlement allows Microsoft to charge royalties for use of methods protected by its software patents - impossible for me to pay if I release under the GPL, since I don't know how many copies of my code are distributed.

Others have commented on the many specifics of the proposed final judgement which are weak and incomplete; my statement only highlights a few ways in which the settlement fails for me specifically. The settlement is wholly unacceptable and insufficient for the needs of myself and many others, and I urge the court to provide real relief.

-Jason Holt